5,812,668 ("Weber"). In so doing, the Examiner appeared to acknowledge that Binkley did no

teach a point of sale system. Instead, the Examiner relied upon Weber to disclose a point of sale

system and stated that it would have been obvious for one in ordinary skill in the art for "the device

to be specialized for the point of sale equipment because the transactions which are being tested on

a different computer in Weber (test gateway computer) is [sic] in a pos [point of sale] environment."

Applicant respectfully traverses the Examiner's rejection. Claim 1 recites:

> A method for providing a point of sale environment for developing an
> application on a development system independently of a point of sale system, the
> application for use with point of sale equipment having a device, the application
> capable of utilizing the device when the application is executed on the point of
> sale equipment, the method comprising the steps of:
>   (a)   providing an emulation module corresponding to the device;
>   (b)   ensuring that the application will utilize the emulation module
> when the application is executed on the development system; and
>   (c)   executing the application on the development system
> independently of the point of sale system, wherein the emulation module and the
> application emulate the interaction between the application and the device that
> occurs when the application is executed on the point of sale equipment;
>   wherein the device is specialized for the point of sale equipment.

Similarly, claim 7 recites:

> A method for testing an application on a development system, the
> application for use with point of sale equipment having a device, the application
> capable of utilizing the device when the application is executed on the point of sale
> equipment, the method comprising the steps of:
>   (a)   providing an emulation object corresponding to the device;
>   (b)   ensuring that the application will utilize the emulation object when
> the application is executed on the development system;
>   (c)   executing the application on the development system;
>   (d)   ensuring that the application adequately utilizes the emulation object;
> and
>   (e)   executing the application on the point of sale equipment;
>   wherein when the application is executed on the development system, the
> emulation module and the application emulate the interaction between the

application and the device that occurs when the application is executed on the point of sale equipment; and

wherein the device is specialized for the point of sale equipment.

Claim 8 recites:

A system for developing an application for use with point of sale equipment having a device, the application capable of utilizing the device when the application is executed on the point of sale equipment, the system comprising:

an emulation module corresponding to the device; and

means for ensuring that the application will utilize the emulation module when the application is executed on the development system;

wherein when the application is executed on the system, the emulation module and the application emulate the interaction between the application and the device that occurs when the application is executed on the point of sale equipment; and

wherein the device is specialized for the point of sale equipment.

Claim 14 recites:

A computer readable medium containing at least one program for testing an application on a development system, the application for use with point of sale equipment having a device, the application capable of utilizing the device when the application is executed on the point of sale equipment, the program containing instructions for:

providing an emulation module corresponding to the device;

wherein the application is capable of utilizing the emulation module in lieu of the device when the application is executed on the development system and;

wherein when the application is executed on the development system, the emulation module and the application emulate the interaction between the application and the device that occurs when the application is executed on the point of sale equipment;

wherein the device is specialized for the point of sale equipment.

Claim 15 recites:

A computer readable medium containing at least one program for facilitating development of an application on a development system, the application for use with point of sale equipment having a device, the application capable of utilizing the

device when the application is executed on the point of sale equipment, the program containing instructions for:

> emulating the interaction between the application and the device;
> allowing a developer to provide input; and
> providing the input to the application in a form expected from the device;
> wherein the device is specialized for the point of sale equipment.

Thus, claims 1, 7, 8,14 and 15 recite methods, a system and computer-readable media for developing an application on a development system independently of a point of sale system. The application is for use with point of sale equipment having a device. The application is capable of utilizing the device when the application is executed on the point of sale equipment. Independent claims 1, 7, 8, 14 and 15 recite methods, a system and computer readable media, which are used to emulate the environment, including a device in a point of sale system. The emulation of the point of sale system is accomplished on a development system independent of the point of sale equipment. Claims 1, 7, 8, 14 and 15 specifically recite that an emulation module corresponding to the device that is part of the point of sale equipment is utilized. Claims 1, 7, 8, 14 and 15 all recite that the interaction between the application and the device that is part of the point of sale system is emulated. Furthermore, claims 1, 7, 8, 14 and 15 all recite that the device is used with the point of sale system and that the device is specially made for the point of sale devices. Claim 1, 7, 8, 14 and 15 also recite that these devices are specialized for use with point of sale equipment. As a result, the methods, system and computer readable media recited in claims 1, 7, 8, 14 and 15 recite that these specialized devices are used and that the emulation module emulates these specialized devices.

Binkley in view of Weber fails to teach or suggest a method, system or computer readable medium that is used to emulate an interaction between an application and a point of sale system and

that the emulation module used emulates devices that are particular to the point of sale system. Binkley does describe a system used in emulating a "target system." Binkley, col. 1, lines 60-62. However, Binkley is directed very generally to emulation of systems on which an application is to run. More specifically, Binkley appears to be directed at a system which provides a separate "emulating processor" that allows the processor of the host system to continue normal operation and emulates the functions of the target system. Binkley, col. 2, lines 25-35 and Abstract, lines 1-7. Applicant can find no mention in Binkley of a point of sale system. Applicant can find no mention in Binkley of any mechanism for developing applications for a point of sale system. More specifically, Applicant can find no mention in Binkley of emulating a device that is part of, or specially designed for, a point of sale system. Binkley merely describes emulating devices such as a different type of display. Binkley, col. 3, lines 62-66. Such devices are typically part of conventional computer systems, rather than a point of sale system. Furthermore, the Examiner seems to tacitly acknowledge that Binkley fails to disclose a point of sale environment by citing Weber. Consequently, although Binkley does teach that conventional devices associated with a computer can be emulated using certain routines, Binkley fails to describe or suggest a mechanism for emulating the unusual type of devices, such as scales, generally used in conjunction with a point of sale system.

Weber fails to remedy the defect of Binkley. Although Weber describes a technology for use with a point of sale system, the cited "test gateway" is used in conjunction with the actual point of sale system. See Weber, col. 61, line 15-col. 63, line 7. In particular, the test gateway is used with a "generic POS[point of sale]" system for a merchant, the actual point of sale system. Weber,

col. 61, lines 41-48. The test gateway allows the merchant to customize the merchant's portion of the point of sale system. Weber, col. 62, line 13-col. 63, line 8 and Fig. 50 (describing the "customization" process including communication with the test gateway). The test gateway of Weber is thus not used in developing an application for the point of sale system. The test gateway of Weber is not even used in developing the components of the point of sale system of Weber. Consequently, the test gateway of Weber is not used in emulating any interaction between an application and a device that is part of a point of sale system. Instead, an end user (the merchant) uses the test gateway in conjunction with a portion of a point of sale system that has already been developed. Weber, therefore, cannot teach emulating the interaction between a point of sale device and the application being developed.

If Weber were added to the teachings of Binkley, the system of Binkley, once developed, might be further customized by an end user employing the test gateway and teachings of Weber. The teachings of Weber would thus allow a user to customize an application developed using the teachings of Binkley. However, the combination would not emulate the interaction between the application and the point of sale device. Instead, the combination would develop the application as in Binkley, then allow a user of the application to further customize the application using the teachings of Weber. Thus, Binkley in view of Weber cannot teach or suggest the methods, system and computer-readable medium recited in claims 1, 7, 8, 14 and 15. Accordingly, Applicant respectfully submits that claim 1, 7, 8, 14 and 15 are allowable over the cited references.

Claims 2-6 depend on independent claim 1. Claims 9-13 depend on independent claim 8. Consequently, the arguments herein apply with full force to claims 2-6 and 9-13. Accordingly,

Applicant respectfully submits that claims 2-6 and 9-13 are also allowable over the cited references.
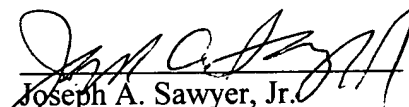
Accordingly, for the above-mentioned reasons, Applicant respectfully submits that the claims are allowable over the cited reference. Consequently, Applicant respectfully requests reconsideration and allowance of the claims as currently presented.

Applicant's attorney believes that this application is in condition for allowance. Should any unresolved issue remain, the Examiner is invited to call Applicant's attorney at the telephone number indicated below.

Respectfully submitted,

July 23, 2002
Date

Joseph A. Sawyer, Jr.
Sawyer Law Group LLP
Attorney for Applicant(s)
Reg. No. 30,801
(650) 493-4540